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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 PATRICIA HAWKINS,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE,, Commissioner of  
the Social Security Administration

14 Defendant.  
15

CASE NO. 11-cv-05733 RBL

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

16 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28  
17 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by Mathews,  
18 Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on  
19 Defendant's stipulated motion to remand the matter to the Commissioner for further  
20 consideration. (ECF No. 14.)

21 After reviewing Defendant's stipulated motion and the relevant record, the undersigned  
22 recommends that the Court grant Defendant's motion, and reverse and remand this matter  
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1 pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner for further administrative  
2 proceedings, including a *de novo* hearing.

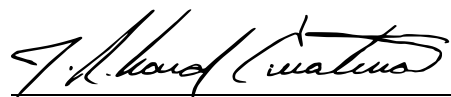
3 On remand, the Administrative Law Judge (“ALJ”) should be instructed to: (1) update the  
4 treatment evidence on Plaintiff’s medical condition and consider the medical evidence as a  
5 whole; (2) expressly evaluate the examining medical source opinion from Dr. West and explain  
6 the reasons for the weight he gives to this opinion evidence; (3) evaluate the third party lay  
7 witness statements from Plaintiff’s husband and friend and assign them the appropriate weight;  
8 (4) further consider Plaintiff’s residual functional capacity on the updated record, citing specific  
9 evidence in support of the assessed limitations; (7) further consider whether or not Plaintiff has  
10 past relevant work she could have performed with the limitations established by the evidence;  
11 and (8) as appropriate, secure supplemental evidence from a vocational expert to clarify the  
12 effect of the assessed limitations on Plaintiff’s occupational base.

13 This Court further recommends that the ALJ take any other actions necessary to develop  
14 the record. In addition, Plaintiff should be allowed to submit additional evidence and arguments  
15 to the ALJ on remand.

16 The parties agree that reasonable attorney fees should be awarded, following proper  
17 application, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

18 Given the facts and the parties’ stipulation, the Court recommends that the District Judge  
19 immediately approve this Report and Recommendation and order the case be **REVERSED** and  
20 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

21 Dated this 1st day of March, 2012.

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24 J. Richard Creatura  
United States Magistrate Judge